



Atty Dkt. No. VITA-005
USPN: 09 736 960

CERTIFICATE OF MAIL

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Office of Initial Patent Examination, Commissioner for Patents, Washington, D.C. 20231

Typed or Printed Name	Susan M. Alessi		
Signature	<i>Susan M. Alessi</i>	Date	February 14, 2003
REQUEST FOR CORRECTED FILING RECEIPT Address to: Office of Initial Patent Examination Commissioner for Patents Washington, D.C. 20231	Attorney Docket	VITA-005	
	Applicant	L.U. PETER S.	
	Serial Number	09/736,960	
	Filing Date	December 13, 2000	
	Group Art Unit	1647	
	Examiner Name	Bunner, Bridget E.	
Title: "CLASP-5 TRANSMEMBRANE PROTEIN"			

RECEIVED
FEB 27 2003
TECH CENTER 1600/2900

Sir:

A filing receipt for the above-identified patent application has been issued by the U.S. Patent and Trademark Office (copy attached) and has been found to contain the following error(s):

- (1) Please correct the "Continuing Data as Claimed by Applicant" as indicated on the attached Application Data Sheet, and the marked-up copy of the Filing Receipt as follows.

~~THIS APPLN CLAIMS BENEFIT OF 60/240,508 10/13/2000~~
~~AND CLAIMS BENEFIT OF 60/240,503 10/13/2000~~
~~AND CLAIMS BENEFIT OF 60/240,539 10/13/2000~~
~~AND CLAIMS BENEFIT OF 60/240,543 10/13/2000~~
~~AND CLAIMS BENEFIT OF 09/547,276 04/11/2000~~
~~AND CLAIMS BENEFIT OF 60/196,267 04/11/2000~~
~~AND CLAIMS BENEFIT OF 60/196,527 04/11/2000~~
~~AND CLAIMS BENEFIT OF 60/196,528 04/11/2000~~
~~AND CLAIMS BENEFIT OF 60/196,460 04/11/2000~~
~~AND CLAIMS BENEFIT OF 60/182,296 02/14/2000~~
~~AND CLAIMS BENEFIT OF 60/176,195 01/14/2000~~
~~AND CLAIMS BENEFIT OF 60/170,453 12/13/1999~~
~~AND CLAIMS BENEFIT OF 60/162,498 10/29/1999~~
~~AND CLAIMS BENEFIT OF 60/160,860 10/21/1999~~

THIS APPLICATION CLAIMS BENEFIT OF 60/240,508 10/13/2000
AND CLAIMS BENEFIT OF 60/240,503 10/13/2000
AND CLAIMS BENEFIT OF 60/240,539 10/13/2000
AND CLAIMS BENEFIT OF 60/240,543 10/13/2000
AND TAKES PRIORITY FROM 09/687,837 10/13/2000

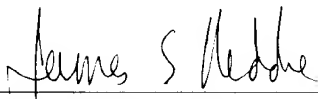
AND TAKES PRIORITY FROM 09/547,276 04/11/2000
AND CLAIMS BENEFIT OF 60/196,267 04/11/2000
AND CLAIMS BENEFIT OF 60/196,527 04/11/2000
AND CLAIMS BENEFIT OF 60/196,528 04/11/2000
AND CLAIMS BENEFIT OF 60/196,460 04/11/2000
AND CLAIMS BENEFIT OF 60/182,296 02/14/2000
AND CLAIMS BENEFIT OF 60/176,195 01/14/2000
AND CLAIMS BENEFIT OF 60/170,453 12/13/1999
AND CLAIMS BENEFIT OF 60/162,498 10/29/1999
AND CLAIMS BENEFIT OF 60/160,860 10/21/1999

If for any reason a fee is found to be necessary, the Commissioner is authorized to charge such fee to
Deposit Account No. 50-0815.

Respectfully submitted,
BOZICEVIC, FIELD & FRANCIS LLP

Date: February 14, 2003

By: _____


James S. Keddie, Ph.D.
Registration No. 48,920

BOZICEVIC, FIELD & FRANCIS LLP
200 Middlefield Road, Suite 200
Menlo Park, CA 94025
Telephone: (650) 327-3400
Facsimile: (650) 327-3231



COPY

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UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20503
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APPLICATION NUMBER	FILING DATE	GRP PART UNIT	FIL FEE REC'D	ATTY DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/736,960	12/13/2000	1641	893	020054000511	61	37	11

CONFIRMATION NO. 8243

20350
TOWNSEND AND TOWNSEND AND CREW
TWO EMBARCADERO CENTER
EIGHTH FLOOR
SAN FRANCISCO, CA 94111-3834

UPDATED FILING RECEIPT

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0C00000007036341

FEB 27 2003

TECH CENTER 1600/2900

Date Mailed: 11/07/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Peter S. Lu, Mountain View, CA;
Jonathan D. Garman, San Jose, CA;
Albert F. Candia III, Menlo Park, CA;

Domestic Priority data as claimed by applicant

THIS APPLN CLAIMS BENEFIT OF 60/240,508 10/13/2000
AND CLAIMS BENEFIT OF 60/240,503 10/13/2000
AND CLAIMS BENEFIT OF 60/240,533 10/13/2000
AND CLAIMS BENEFIT OF 60/240,543 10/13/2000
AND CLAIMS BENEFIT OF 60/196,257 04/11/2000
AND CLAIMS BENEFIT OF 60/196,527 04/11/2000
AND CLAIMS BENEFIT OF 60/196,523 04/11/2000
AND CLAIMS BENEFIT OF 60/196,450 04/11/2000
AND CLAIMS BENEFIT OF 60/182,296 02/14/2000
AND CLAIMS BENEFIT OF 60/176,195 01/14/2000
AND CLAIMS BENEFIT OF 60/170,453 12/13/1999
AND CLAIMS BENEFIT OF 60/162,438 10/29/1999
AND CLAIMS BENEFIT OF 60/160,860 10/21/1999

Foreign Applications

Projected Publication Date: 12/14/2001

Non-Publication Request: No

Early Publication Request: No

**** SMALL ENTITY ****

Title

CLASP-5 transmembrane protein

Preliminary Class

424

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)), the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

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ATCC

10801 University Blvd • Manassas, VA 20110-2209 • Telephone: 703-365-2700 • FAX: 703-365-2745

BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF
THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE

INTERNATIONAL FORM

RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT ISSUED PURSUANT TO RULE 7.3
AND VIABILITY STATEMENT ISSUED PURSUANT TO RULE 10.2

To: (Name and Address of Depositor or Attorney)

Arbor Vita Corporation

Attn: Peter S. Lu, MD

772 Lucerne Dr.

Sunnyvale, CA 94085

Deposited on Behalf of: Arbor Vita Corporation

Identification Reference by Depositor:

Human Clasp-4 5' cDNA Clone: AVC-PD16
Human Clasp-5 5' cDNA Clone: AVC-PD15
Human Clasp-4 5' cDNA Clone: AVC-PD17
Human Clasp-2 5' cDNA Clone: AVC-PD14
Human Clasp-5 5' cDNA Clone: AVC-PD20
Human Clasp-1 5' cDNA Clone: AVC-PD13
Human Clasp-2 5' cDNA Clone: AVC-PD19
Human Clasp-1 5' cDNA Clone: AVC-PD18
Human Clasp-3 5' cDNA Clone: AVC-PD21
Human Clasp-3 5' cDNA Clone: AVC-PD22

Patent Deposit Designation

PTA-2608
PTA-2609
PTA-2610
PTA-2611
PTA-2612
PTA-2613
PTA-2614
PTA-2615
PTA-2616
PTA-2617

The deposits were accompanied by: a scientific description, a proposed taxonomic description indicated above. The deposits were received October 17, 2000 by this International Depository Authority and have been accepted.

AT YOUR REQUEST: ☒ We will inform you of requests for the strains for 30 years.

The strains will be made available if a patent office signatory to the Budapest Treaty certifies one's right to receive, or if a U.S. Patent is issued citing the strains, and ATCC is instructed by the United States Patent & Trademark Office or the depositor to release said strains.

If the cultures should die or be destroyed during the effective term of the deposit, it shall be your responsibility to replace them with living cultures of the same.

The strains will be maintained for a period of at least 30 years from date of deposit, or five years after the most recent request for a sample, whichever is longer. The United States and many other countries are signatory to the Budapest Treaty.

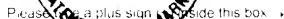
The viability of the cultures cited above was tested October 25, 2000. On that date, the cultures were viable.

International Depository Authority: American Type Culture Collection, 10801 University Blvd., Manassas, VA 20110-2209

DATE: January 22, 2001Frank Simone
Frank Simone, Director, Patent Depository

Date: January 22, 2001

cc: William Smith



PTO SB 21 (08-00)

Approved for use through 10-31-2002 OMB 0651-0031

U.S. Patent and Trademark Office U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

(to be used for all correspondence after initial filing)

Application Number	09/736,960
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Filing Date December 13, 2000

First Named Inventor | LU PETER S

Group Art Unit	1647
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Examiner Name: **Bunner, Bridget E.**

Attorney Docket Number **VITA-005**

Total Number of Pages in This Submission | 76

ENCLOSURES (check all that apply)

- | | |
|--------------------------|--|
| <input type="checkbox"/> | Fee Transmittal Form |
| <input type="checkbox"/> | Fee Attached |
| <input type="checkbox"/> | Amendment / Reply |
| <input type="checkbox"/> | After Final |
| <input type="checkbox"/> | Affidavits/declaration(s) |
| <input type="checkbox"/> | Extension of Time Request |
| <input type="checkbox"/> | Express Abandonment Request |
| <input type="checkbox"/> | Information Disclosure Statement |
| <input type="checkbox"/> | Certified Copy of Priority Documents |
| <input type="checkbox"/> | Response to Missing Parts/
incomplete Application |
| <input type="checkbox"/> | Response to Missing Parts
under 37 CFR 1.52 or 1.53 |

- ☐ Assignment Papers
(for an Application)
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a
Provisional Application
- ☐ Power of Attorney, Revocation
- ☐ Change of Correspondence
Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) _____

- ☐ After Allowance Communication to Group
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to Group
(*Appeal Notice, Brief, Reply Brief*)
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Other Enclosure(s) (*please identify below*):
1. **Statement of Availability**
 2. **Exhibits**
 3. **Application Data Sheet**
 4. **Request for Corrected Filing Receipt**
 5. **Marked-up copy of Filing Receipt**
 6. **Postcard**

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Singh Attorney Agent
Reg No 1

JAMES S. KEDDIE, PH.D., 48.920
BOZICEVIC, FIELD & FRANCIS, LLP

Signature _____

Date _____

February 14, 2003

CERTIFICATE OF MAILING

[illegible]

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL
for FY 2003

Effective 01/31/2003 Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 465)

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None☒ Deposit Account

Deposit Account Number 50-0815

Deposit Account Name Bozicevic, Field & Francis LLP

The Commissioner authorized to: (check all that apply)

☒ Charge fees indicated below ☒ Credit any overpayments
☐ Charge any additional fee(s) during the pendency of this application☐ Charge fees indicated below, except for the filing fee to the above-identified deposit account

FEE CALCULATION

1. BASIC FILING FEE

Large Fee Code	Entity (\$)	Small Fee Code	Entity (\$)	Fee Description	Fee Paid
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Extra Claims	Fee from below	Fee Paid
Total Claims	-20** =	x	=
Indep Claims	-3** =	x	=
Multiple Dependent			=

Large Fee Code	Entity (\$)	Small Fee Code	Entity (\$)	Fee Description
1202	15	2202	9	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	230	2203	140	Multiple dependent claim, if not paid
1204	84	2204	42	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) \$

**or number previously paid, if greater. For Reissues, see above

Complete if Known

Application Number 09/736,960

Filing Date December 13, 2000

First Named Inventor LU, PETER S.

Examiner Name Bunner, Bridget E

Art Unit 1647

Attorney Docket No. VITA-005

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Fee Code	Entity (\$)	Small Fee Code	Entity (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	2053	65	Non-English specification	
1812	2,520	2812	2,520	For filing a request for ex parte reexamination	
1804	920*	2804	920*	Requesting publication of SIF prior to Examination action	
1805	1,840*	2805	1,840*	Requesting publication of SIF after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	465
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	2451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1406	130	2406	130	Petitions to the Commissioner	
1807	50	2807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	2806	180	Submission of Information Disclosure Stmt	
8021	40	2821	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	2802	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 465)

SUBMITTED BY

Complete (if applicable)

Name (Print Type) James S. Reddie, Ph.D.

Registration No. (Attorney/Agent)

48,920

Telephone

(650) 327-3400

Signature

Date

02/14/2003

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